

House Bill 533

By: Representatives Lewis of the 15th, Smith of the 113th, Loudermilk of the 14th, and Graves of the 12th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 12-8-25 of the Official Code of Georgia Annotated, relating to solid
2 waste disposal sites within one-half mile of an adjoining county or city, so as to increase the
3 applicable distance for such sites from county or city boundaries; to repeal conflicting laws;
4 and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 12-8-25 of the Official Code of Georgia Annotated, relating to solid waste
8 disposal sites in certain counties within one-half mile of an adjoining county, is amended by
9 striking paragraph (3) of subsection (a) and inserting in lieu thereof the following:

10 "(3) Except as otherwise provided in subsection (b) of this Code section, to encourage
11 cooperation among the various cities and counties, after April 4, 1997, no permit shall be
12 issued for a municipal solid waste disposal facility in any city or county if any part of the
13 site is within ~~one-half~~ one mile of the boundaries of such city or county adjoining any city
14 or county in this state without the applicant's first receiving the express approval of the
15 governing authority of that adjoining city or county; provided, however, that the director
16 may permit such a facility if the applicant provides evidence that no alternative sites or
17 methods are available in that jurisdiction or in any adjoining jurisdiction of the affected
18 city and county for the handling of its solid waste. This paragraph shall apply to all permit
19 applications that are pending on or made after April 4, 1997, and to all permits issued
20 prior to such date, which permits are the subject of an appeal or judicial review and such
21 appeal or judicial review is in process."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.